

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

UNITED STATES OF AMERICA,	)	CASE NO.: 2:17-CR-00151
	)	
Plaintiff,	)	
	)	JUDGE SARGUS
v.	)	
	)	
SALIM DAHDAH	)	
	)	
and	)	
	)	
CINDY DAHDAH	)	
	)	
Defendant.	)	

**DEFENDANT CINDY DAHDAH'S MOTION IN LIMINE**

Defendant Cindy Dahdah, by and through her undersigned counsel, respectfully submits the following motion *in limine* pursuant to Federal Rule of Evidence 403, seeking to preclude certain evidence as detailed in the Memorandum appended below.

**MEMORANDUM IN SUPPORT**

On July 11, 2017, Defendants Salim and Cindy Dahdah were indicted on various counts of conspiracy to commit healthcare fraud, health care fraud, and health care false statements. Trial in this matter is scheduled to begin on August 6, 2018. The search warrant affidavit completed by the Government contains a number of averments regarding purported gambling habits of Ms. Dahdah. In particular, Paragraph 25 of the search warrant affidavit details several alleged financial transactions involving casinos in Ohio, Nevada, and Florida. This paragraph also provides information on alleged cash withdrawals made from Defendants' business banking accounts at

Fifth Third Bank. The Government claims that Ms. Dahdah's cash withdrawals from the business banking accounts coincide with cash-ins at various casinos. Because evidence of these gambling transactions, or any evidence whatsoever regarding Ms. Dahdah's purported gambling activities, is both irrelevant and prejudicial, it should be excluded from presentation at trial. The Federal Rules of Evidence permit introduction of relevant evidence only. Evidence of Ms. Dahdah's purported gambling activities is not relevant to the health care fraud crimes for which she is charged. Even if this evidence were somehow relevant, it should nevertheless be excluded because it is substantially more prejudicial than probative.

Pursuant to Federal Rule of Evidence 403, "the court may exclude relevant evidence if its probative value is substantially outweighed by a danger of . . . unfair prejudice, confusing the issues, [or] misleading the jury." Fed. R. Evid. 403. Here, the Government's contention that Ms. Dahdah gambled involving significant monies, will be extremely prejudicial and confusing in the eyes of the jury. Once jurors hear this information, they will be apt to make assumptions about Ms. Dahdah that are both unwarranted and unfair. Ms. Dahdah is not likely to have a reasonable opportunity to rebut those assumptions because of the automatic stigma associated with the subject matter. The danger of this prejudice far outweighs the probative effect of the evidence. This prejudice will lead to an unfair trial for Ms. Dahdah, and the evidence should be excluded.

Accordingly, Defendant Cindy Dahdah respectfully requests this Court enter the attached proposed order, precluding the Government from introducing any evidence of purported gambling activities at trial.

Dated: July 9, 2018

Respectfully submitted,

/s/ Karl H. Schneider

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 9, 2018, a copy of the foregoing was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the Court's electronic filing system.

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*/s/ Karl H. Schneider*

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